IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)
	Plaintiff,) 8:11CR125)
	vs.) DETENTION ORDER
JO	SE ROSARIO LOPEZ-SANTIAGO,	\(\)
	Defendant.	Ś
A.	After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on April 28, 2011, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).	
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 	
C.	distribute methamphetan 846 and the distribution of a minimum sentence of to life imprisonment (b) The offense is a crime of (c) The offense involves a name	and includes the following: e offense charged: y to distribute and possess with intent to nine (Count I) in violation of 21 U.S.C. § of methamphetamine (Count II) both carry en years imprisonment and a maximum of fiviolence.
	may affect wheth X The defendant h X The defendant h X The defendant is X The defendant is X The defendant of ties. Past conduct of The defendant h The defendant h The defendant h	of the defendant including: spears to have a mental condition which her the defendant will appear. has no family ties in the area. has no steady employment. has no substantial financial resources. hnot a long time resident of the community. hoes not have any significant community the defendant: has a history relating to drug abuse. has a history relating to alcohol abuse. has a significant prior criminal record. has a prior record of failure to appear at

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	of the current arrest, the defendant was on: obation
	role
	elease pending trial, sentence, appeal or completion of
	ntence.
(c) Other Fact	ors:
	e defendant is an illegal alien and is subject to
de	portation.
Th	ie defendant is a legal alien and will be subject to
	portation if convicted.
<u>X</u> Th	e Bureau of Immigration and Custom Enforcement
(B	ICE) has placed a detainer with the U.S. Marshal.
Ot	her:
	seriousness of the danger posed by the defendant's
release are as fol	lows: The nature of the charges in the Indictment.
X (5) Rebuttable Pres	
	t the defendant should be detained, the Court also relied
	rebuttable presumption(s) contained in 18 U.S.C. §
	Court finds the defendant has not rebutted:
	condition or combination of conditions will reasonably
	appearance of the defendant as required and the safety
	r person and the community because the Court finds that
the crime in	
	A crime of violence; or
\overline{X} (2)	An offense for which the maximum penalty is life
V (2	imprisonment or death; or
<u>X</u> (3	A controlled substance violation which has a maximum
(4	penalty of 10 years or more; or
(4	A felony after the defendant had been convicted of two
	or more prior offenses described in (1) through (3)
	above, and the defendant has a prior conviction for
	one of the crimes mentioned in (1) through (3) above
	which is less than five years old and which was
V (b) That no a	committed while the defendant was on pretrial release.
	ondition or combination of conditions will reasonably
	appearance of the defendant as required and the safety
cause to be	munity because the Court finds that there is probable
	That the defendant has committed a controlled
(1	substance violation which has a maximum penalty of
	10 years or more.
12	That the defendant has committed an offense under 18
(2	U.S.C. § 924(c) (uses or carries a firearm during and
	in relation to any crime of violence, including a crime of
	violence, which provides for an enhanced punishment
	if committed by the use of a deadly or dangerous
	weapon or device).
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D. Additional Directives

- Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal:
 - The defendant be afforded reasonable opportunity for private consultation 2. with counsel; and
 - That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: April 28, 2011. BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge